

ATTACHMENT 13

From: [Chaudhry, Sana](#)
To: [Bernick, Daniel](#); [Flahive Wu, Laura](#); [Mendelson, Evan](#); [Jerjian, Olivia](#); [Nardini, Thomas](#); [MacDonald, Colin](#); [Hoffman, Elena](#); [Frech, Jacob](#); [Zwonik, Ryan](#); [Awad, Yara](#); [Mejia-Portillo, Johana](#)
Cc: [Kim, Laura](#); [Graubert, John](#); [Anthony, Stephen](#); [Hall, John](#); [Rodgers, Megan](#); [Rippey, Edward](#); [Kelly, Kevin](#); [Capuano, Marc](#); [jhueston@hueston.com](#); [mkaba@hueston.com](#); [jreiter@hueston.com](#); [Payson, Kenneth](#); [Howard, Jim](#); [SEA Docket](#); [Saunders, Anthony R.](#)
Subject: RE: FTC v. Amazon - Data Sample
Date: Tuesday, April 23, 2024 1:28:05 PM
Attachments: [image001.png](#)

Counsel,

We are following up on our April 3 email below and our April 12 letter about Amazon's data production. Please let us know by this **Friday, April 25** when and how Amazon anticipates transferring the final dataset to the FTC, as well as the expected size and format of the data.

Thanks,
Sana

Sana Chaudhry
Bureau of Consumer Protection
Federal Trade Commission
600 Pennsylvania Avenue, NW, CC-9528
Washington, DC 20580
Phone: (202) 326-2679

From: Chaudhry, Sana
Sent: Wednesday, April 3, 2024 2:43 PM
To: Bernick, Daniel <DBernick@cov.com>; Flahive Wu, Laura <lflahivewu@cov.com>; Mendelson, Evan <emendelson@ftc.gov>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>
Cc: Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com; Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <JimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>; Saunders, Anthony R. <ASAUNDERS@ftc.gov>
Subject: RE: FTC v. Amazon - Data Sample

Counsel,

We write in response to the logistical questions you raised in your March 22 letter and on our call yesterday. The FTC will not accept a statistical sample instead of the full dataset. We ask that Amazon produce the full dataset by transferring it to a Microsoft Azure account and will provide

information necessary to facilitate the transfer. We also request that Amazon produce the data in Parquet format. If you are unable to produce the data in the requested manner, please let us know as soon as possible how and in what format you intend to produce it. Further, please let us know by when you anticipate transferring the data and the final data size, so we can plan accordingly. We reserve the right to request the data be provided on hard drives, but do not anticipate this being necessary at this time.

Also, as requested, please find attached the list of SICs we have identified as relevant to Prime enrollment and cancellation from the spreadsheet you produced on March 13—the attached file is encrypted with the same password you provided. We ask that Amazon produce all customer service data for contacts involving the SIC codes we have identified. Please note by providing this list, we are not agreeing to alter or supersede FTC’s Document Request 73, seeking monthly volume and percentage of customer contacts relating to each SIC. For *each* SIC combination/row in the spreadsheet you provided on March 13, we ask that Amazon provide total counts by year of the amount of customer service contacts for that combination/row for U.S. consumers. This information is relevant because it allows us to compare the frequency of cancellation/enrollment-related contacts with other contacts. We also ask that Amazon confirm whether these SICs, and any volume counts, apply to customer service contacts by both phone and chat. Further, our review is ongoing and we reserve the right to request data and information about additional SICs we identify as relevant.

We are available for a call to discuss the above matters. We will separately address other data-related issues we raised on the call and in our March 15 letter.

Best regards,
Sana

Sana Chaudhry
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Federal Trade Commission
600 Pennsylvania Avenue, NW, CC-9528
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Phone: (202) 326-2679

From: Bernick, Daniel <DBernick@cov.com>

Sent: Friday, March 22, 2024 5:48 PM

To: Chaudhry, Sana <schaudhry@ftc.gov>; Flahive Wu, Laura <lflahivewu@cov.com>; Mendelson, Evan <emendelson@ftc.gov>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>

Cc: Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com;

Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <JimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>

Subject: RE: FTC v. Amazon - Data Sample

You don't often get email from dbernick@cov.com. [Learn why this is important](#)

Counsel,

Please see the attached correspondence.

Best,
Dan

Dan Bernick

Pronouns: He/Him/His

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From: Chaudhry, Sana <schaudhry@ftc.gov>

Sent: Thursday, February 15, 2024 5:05 PM

To: Flahive Wu, Laura <lflahivewu@cov.com>; Mendelson, Evan <emendelson@ftc.gov>; Bernick, Daniel <DBernick@cov.com>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>

Cc: Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com; Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <JimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>

Subject: RE: FTC v. Amazon - Data Sample

[EXTERNAL]

Counsel,

Please see the attached correspondence.

Best regards,

Sana

Sana Chaudhry
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Federal Trade Commission
600 Pennsylvania Avenue, NW, CC-9528
Washington, DC 20580
Phone: (202) 326-2679

From: Flahive Wu, Laura <lflahivewu@cov.com>
Sent: Thursday, February 1, 2024 3:23 PM
To: Mendelson, Evan <emendelson@ftc.gov>; Bernick, Daniel <DBernick@cov.com>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>
Cc: Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com; Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <JimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>; Chaudhry, Sana <schaudhry@ftc.gov>
Subject: RE: FTC v. Amazon - Data Sample

Counsel,

We are available to confer about the data sample on Thursday, February 8 at any point between 9:30 am ET and 1:00 pm ET. Please let us know if you are available during that window.

Regards,

Laura

Laura Flahive Wu

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From: Mendelson, Evan <emendelson@ftc.gov>

Sent: Tuesday, January 30, 2024 10:43 AM

To: Bernick, Daniel <DBernick@cov.com>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>

Cc: Flahive Wu, Laura <lflahivewu@cov.com>; Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com; Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <jimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>; Chaudhry, Sana <schaudhry@ftc.gov>

Subject: RE: FTC v. Amazon - Data Sample

EXTERNAL

Counsel,

We write regarding the data sample Amazon produced on January 19, 2024 at Exhibit A. We've reviewed the sample and would like to confer on several issues we've identified. In general, we'd like to better understand the scope of the sample and Amazon's position on whether/when it intends to produce the remaining data responsive to the FTC's Document Requests. Here are the general areas we'd like to discuss:

- Data dictionary for certain columns and values;
- Missing or incomplete data (e.g., Document Requests 55.e, 55.h, 55.k, 55.m to 55.p, 55.t, 55.u, 56.d to 56.h, 56.j, 56.k, 56.n to 56.p);
- Document Requests 57, 60, 67, 68, 69, 70, 73
- Timing of complete data production
- Consumer information (e.g., Document Requests 55.a and 56.a);

We note that this is not a comprehensive list of issues but a broad outline to facilitate discussion. Please let us know your availability for a call next Monday (any time) or Tuesday (afternoon) to discuss.

Thanks,
Evan

Evan M. Mendelson
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Fax: (202) 326-3197

From: Bernick, Daniel <DBernick@cov.com>

Sent: Friday, January 19, 2024 5:41 PM

To: Mendelson, Evan <emendelson@ftc.gov>; Jerjian, Olivia <ojerjian@ftc.gov>; Nardini, Thomas <tnardini@ftc.gov>; MacDonald, Colin <cmacdonald@ftc.gov>; Hoffman, Elena <ehoffman@ftc.gov>; Frech, Jacob <jfrech@ftc.gov>; Zwonik, Ryan <rzwonik@ftc.gov>; Awad, Yara <yawad@ftc.gov>; Mejia-Portillo, Johana <jmejiaportillo@ftc.gov>

Cc: Flahive Wu, Laura <lflahivewu@cov.com>; Kim, Laura <LKim@cov.com>; Graubert, John <jgraubert@cov.com>; Anthony, Stephen <santhony@cov.com>; Hall, John <jhall@cov.com>; Rodgers, Megan <mrodgers@cov.com>; Rippey, Edward <erippey@cov.com>; Kelly, Kevin <Kkelly@cov.com>; Capuano, Marc <MCapuano@cov.com>; Bernick, Daniel <DBernick@cov.com>; jhueston@hueston.com; mkaba@hueston.com; jreiter@hueston.com; Payson, Kenneth <KennethPayson@dwt.com>; Howard, Jim <JimHoward@dwt.com>; SEA Docket <SEADocket@dwt.com>

Subject: [WARNING : MESSAGE ENCRYPTED] FTC v. Amazon - Data Sample

Counsel,

Please see the attached correspondence and accompanying materials. The password(s) to access the provided material(s) will be shared separately.

Best,
Dan

Dan Bernick

Pronouns: He/Him/His

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